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April 28, 2006

VIA ELECTRONIC FILING AND HAND DELIVERY

The Honorable Kent A. Jordan
United States District Court
District of Delaware
844 N. King Street, Room 6325
Lockbox 10
Wilmington, De 19801

Re: Adams Golf Securities Litigation, C.A. No. 99-371 KAJ

Dear Judge Jordan:

I am writing on behalf of the plaintiffs regarding the schedule in this matter. On Friday, April 21, 2006, I submitted a proposed form of Amended Scheduling Order which included dates agreed to among all counsel, including a December trial date (the "proposed April 21 Order"). On Monday, April 24, Ms. Stein advised that the parties' proposed December trial date is not available on the Court's calendar, and she provided alternative dates for the trial (March 2007), pre-trial conference and pre-trial Order. After I submitted a new proposed Amended Scheduling Order on April 25, which incorporated that schedule (the "proposed April 25 Order"), counsel for the Adams Golf defendants advised that he is not available for a March trial date because of a February trial commitment. Accordingly, his Delaware counsel secured an alternative trial date from Your Honor's office for June 2007.

Plaintiffs believe that defendants' request to wait until June 2007 to proceed to trial is unwarranted and unnecessary. We believe that this case should proceed according to the proposed April 25 Order.

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In the proposed April 21 Order, the parties agreed to a schedule, subject to court approval, that would provide for the close of summary judgment briefing on September 25, 2006; the pretrial conference on February 9, 2007 and corresponding deadlines. Thereafter, defendants requested that the trial date be pushed back from the March 2007 date suggested by the Court, as reflected in the proposed April 25 Order, to June 2007 in light of the February 2007 trial date in another case for one of defendants' counsel. Plaintiffs responded that, with the number of counsel employed by the various parties, and in view of your Honor's expressed determination to move the case swiftly, it would be inappropriate to change the trial date in this case from March to June. Nonetheless, as a professional courtesy, and specifically in light of this defendant counsel's scheduled February 2007 trial in another case, plaintiffs told defendants that they would not oppose defendants' request to alter the schedule again to provide for a June 2007 trial date.

In response, defendants requested an alteration of the pretrial schedule (extending the deadlines for expert discovery and summary judgment briefing in particular), while sticking with the March 2007 trial date. In other words, it seems apparent that the real concern was not the scheduled February 2007 trial on the part of one of defendants' counsel in another case, but instead the desire to change, again, the pretrial schedule that all parties had agreed to in the proposed April 21 Order, and as also reflected in the proposed April 25 Order. According to an email of one of defendants' counsel on Wednesday of this week, they had agreed to the March trial date "if we could get more time on the sj/Daubert motions. If that is not the case, then we very well may stick with the June trial date to get the additional time." Plaintiffs informed defendants that we understand that the Court would not permit expansion of the pretrial deadlines while preserving the March trial date.

Accordingly, while plaintiffs wish to show professional courtesy with respect to one opposing counsel's trial schedule in another case, defendants' request for a June trial date seems to be primarily motivated by a desire to spend more time on expert discovery and summary judgment briefing. Plaintiffs believe no more time is needed for these activities, as indicated by the proposed April 21 Order. Again, this proposed Order was agreed to by all parties.

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At the conclusion of the oral argument on April 10, your Honor emphasized that this case must be expedited. Plaintiffs believe that, consistent with this admonition, it would be unwarranted to delay trial from March to June 2007.

Respectfully,

/s/ Carmella P. Keener

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